

Image



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: U.S.S.N. 09/397,110)

FILED: September 16, 1999)

TITLE: PROCESS AND MATERIALS FOR)
THE RAPID DETECTION OF)
STREPTOCOCCUS PNEUMONIAE)
EMPLOYING PURIFIED)
ANTIGEN-SPECIFIC)
ANTIBODIES)

GROUP ART UNIT: 1645

EXAMINER:

INVENTORS: Norman James Moore,)
Mary K. Fent,)
Vladimir A. Koulchin)
Elena Valentin Molokova)

Virginia Allen Portner

RESPONSE TO
NOTICE OF NON-COMPLIANT AMENDMENT
MAILED DECEMBER 31, 2003

Applicants understand that they are required, in response to the above-identified notice dated December 31, 2003 to resubmit the "Claim Listing" portion of the amendment filed October 15, 2003 and that the "noncompliant" ruling is directed particularly to amended claim 50.


A rigorous effort has been made to render Claim 50, as intended to be amended, fully compliant with the rules that became effective as of July 31, 2003. Applicant's attorney apologizes for the errors.

The non-compliant amendment was filed in response to a non-final office action. This response is filed within the one-month period set by the notice and is believed to place claims 50 and 51 in condition for allowance. Claims 33-40 and 42-49 stand allowed pursuant to the action mailed April 15, 2003. Accordingly, allowance of claims 50 and 51, as amended, is respectfully requested.

Applicants are considering the possible filing of a divisional application in which one or more of withdrawn claims 1-9 may be asserted and will either file such divisional and cancel claims 1-9 from this application or elect simply to drop said claims within not more than thirty days from the present date.

In conclusion, Applicants' attorney appreciates the Examiner's courtesy and thanks her for her patience in explaining the holding of non-compliance, as well as for pointing out that it is unnecessary under the new rules to supply a clean copy of an amended claim.

Respectfully submitted,

Dated: January 15, 2004 
Mary Helen Sears, Reg. 19,961
Attorney for Applicants
The M.H. Sears Law Firm, Chartered
910 Seventeenth Street, N.W., Suite #800
Washington, D.C. 20006
Telephone: (202) 463-3892
Telecopy: (202) 463-4852